



Signed and Filed: December 20, 2021

Dennis Montali

DENNIS MONTALI
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re:) Bankruptcy Case
PG&E CORPORATION,) No. 19-30088-DM
) Chapter 11
- and -) Jointly Administered
PACIFIC GAS AND ELECTRIC COMPANY,)
Reorganized Debtors.) Date: December 21, 2021
) Time: 10:00 AM
) www.canb.uscourts.gov/calendars
☐ Affects PG&E Corporation)
☐ Affects Pacific Gas and)
Electric Company)
☒ Affects both Debtors)
* All papers shall be filed in)
the Lead Case, No. 19-30088 (DM).)

CORRECTED TENTATIVE RULING ON MOTION FOR RELIEF FROM PLAN
INJUNCTION AND PARTIAL OBJECTION TO CLAIM

The court has reviewed the Motion For Relief From Plan
Injunction (Dkt 11535) filed by Tiger Natural Gas, Inc.
("Tiger"), Reorganized Debtors' Opposition (Dkt 11672), Tiger's
Reply (Dkt 11692) and all related submissions. It has also

1 reviewed Debtors' Partial Objection To Proof Of Claim No. 64095
2 (the "Objection") (Dkt 11700).

3 Tentatively the court will GRANT the Motion and also will
4 DROP the Objection from the January 18, 2022, 10:00 AM calendar
5 without waiting for a response to the Objection from Tiger.

6 Counsel for Tiger, in the Reply, uses the term
7 "unabashedly" to describe Debtors' admitted forum shopping and
8 refers to a "cynical attempt by PG&E to use the bankruptcy
9 process to string Tiger along". The court is not inclined to
10 be so charitable when describing Debtors' tactics. The
11 Debtors' Opposition and now its addition of the Objection, are,
12 to put it bluntly, unseemly and blatant judge shopping. They
13 will not be tolerated.
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16 This court does not need to run a box score to count the
17 *Curtis* factors to make an easy call on this one. The history
18 of the Tiger litigation, the involvement of three district
19 judges and one magistrate judge for years (as described more
20 accurately and completely by Tiger than by Debtors) and the
21 interplay between the Sherman Act count and the other claims
22 asserted by Tiger in the district court action speak volumes.
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24 Finally, Debtors' suggestion that Judge White would not
25 have a clear path to resolution because Debtors would need to
26 move for bifurcation under FRCP 42 borders on the frivolous. If
27 Debtors are so confident that they could prevail via summary
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1 judgment after discovery in this court, they can move, after the
2 same effort, for partial summary judgment in Judge White's
3 court.

4 If Debtors accept this tentative ruling, their counsel
5 should notify Tiger's counsel and the courtroom deputy no later
6 than 4:00 PM on December 20, 2021. In that case, the Motion
7 will be dropped from the December 21, 2021 calendar and the
8 Objection will be dropped from the January 22, 2022, 10:00 AM
9 calendar. Counsel for Tiger should then prepare and upload an
10 order GRANTING the Motion for the reasons stated in this
11 Tentative Ruling.
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15 **END OF TENTATIVE RULING**
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